

Brooklyn

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Alyssa A. Friedman, Esq. Partner | Healthcare Fraud Chair AFriedman@Abramslaw.com

April 25, 2023

VIA FEDERAL EXPRESS Tracking No. 7719 5644 0574

Honorable Ramon E. Reyes, Jr. United States District Judge Eastern District of New York 225 Cadman Plaza East Brooklyn, New York 11201

Re:

Government Employees Insurance Co., et al. v. Ahmad et al.

Docket No. 1:22-cv-06713-ARR-RER

Dear Judge Reves:

This letter confirms receipt of recent mail in connection with the above-referenced matter pending before Your Honor. The mail is postmarked April 13, 2023, and includes a copy of the Docket Sheet, docket entries from April 6, 2023, and Plaintiff's letter to the Court dated April 19, 2023 (enclosed) regarding Mark L. Furman's passing. There was no cover sheet sent with this letter, but the envelope is an EDNY envelope.

On April 11, 2023, the Firm received a call from Your Honor's Chambers regarding this matter, which we were unaware of, and immediately investigated at the Firm. Later that day, my paralegal Cindy Roldan called Chambers to notify the Court that Mark L. Furman was Of Counsel at this firm, in the past. However, he maintained independently his own law office in which he handled matters outside of the firm. This was one of those matters.

Mr. Furman's employment with the Firm ended on March 18, 2022. The signature block on the Notice of Appearance filed months later by Mark L. Furman on November 21, 2022 (See Docket No. 11, attached) has different contact information for Mr. Furman than what appears on the Docket Sheet. On the Notice of Appearance, it states, "Law Offices of Mark L. Furman, 22 Donald Drive, Hastings on Hudson, NY, 10706" and lists a phone number and email address associated with his personal firm.



It appears in PACER and on the docket sheet that Mr. Furman failed to update his PACER login information to reflect his correct address and/or was using the Firm's PACER account without authorization to do so after his employment ended in March of 2022.

It is our position that our Firm is not part of this action and respectfully requests to be excused from this matter / these discussions as this case was being handled by the Law Offices of Mark L. Furman and not Abrams Fensterman, LLP.

Thank you for your attention to this matter.

Respectfully submitted,

Alyssa Friedman

Partner & Healthcare Fraud Chair

(718) 215-7568

AFriedman@abramslaw.com

Enc.

EASTERN DISTRICT OF NEW YORK CLERK OF U.S. DISTRICT COURT 229 CADMAN PLAZA EAST BROOKLYN, NY 11201

A.

OFFICIAL BUSINESS PENALTY FOR PRIVATE USE \$300

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Formato, Ferrara & Wolf, LLP 1 MetroTech Center, Abrams, Fensterman, Fensterman, Eisman, Suite 1701 Brooklyn, NY 11201 Alyssa Friedman

U.S. District Court Eastern District of New York (Brooklyn) CIVIL DOCKET FOR CASE #: 1:22-cv-06713-ARR-RER

Government Employees Insurance Company et al v. Ahmad et al Date Filed: 11/03/2022

Assigned to: Judge Allyne R. Ross

Referred to: Magistrate Judge Ramon E. Reyes, Jr

Cause: 18:1962 Racketeering (RICO) Act

Jury Demand: Plaintiff

Nature of Suit: 470 Racketeer/Corrupt

Organization

Jurisdiction: Federal Question

Plaintiff

Government Employees Insurance

Company

represented by Barry I. Levy

Rivkin Radler LLP 926 RXR Plaza Uniondale, NY 11556-0926

516 357 3149 Fax: 516 357-3333

Email: barry.levy@rivkin.com ATTORNEY TO BE NOTICED

Sean Patrick Gorton

Rivkin Radler LLP 926 Rxr Plaza Uniondale, NY 11556 (516)357-3319

Fax: (516)357-3333

Email: sean.gorton@rivkin.com ATTORNEY TO BE NOTICED

Michael A. Sirignano

Rivkin, Radler LLP 926 RXR Plaza

Uniondale, NY 11556-0926

516-357-3073

Fax: 516-357-3333

Email: michael.sirignano@rivkin.com

ATTORNEY TO BE NOTICED

Plaintiff

GEICO Indemnity Company

represented by Barry I. Levy

(See above for address) ATTORNEY TO BE NOTICED

Sean Patrick Gorton

(See above for address)

ATTORNEY TO BE NOTICED

Michael A. Sirignano

(See above for address)

ATTORNEY TO BE NOTICED

Plaintiff

GEICO General Insurance Company

represented by Barry I. Levy

(See above for address)

ATTORNEY TO BE NOTICED

Sean Patrick Gorton

(See above for address)

ATTORNEY TO BE NOTICED

Michael A. Sirignano

(See above for address)

ATTORNEY TO BE NOTICED

Plaintiff

GEICO Casualty Company

represented by Barry I. Levy

(See above for address)

ATTORNEY TO BE NOTICED

Sean Patrick Gorton

(See above for address)

ATTORNEY TO BE NOTICED

Michael A. Sirignano

(See above for address)

ATTORNEY TO BE NOTICED

V.

Defendant

Riaz Ahmad, M.D.

represented by Riaz Ahmad, M.D. PRO SE

Mark L. Furman

Mark E. Purman

Abrams, Fensterman, Fensterman, Eisman,

Formato, Ferrara & Wolf, LLP

1 MetroTech Center

Suite 1701

Brooklyn, NY 11201

718-215-5300

Fax: 212-279-0600

Email: mark@markfurmanlaw.com

TERMINATED: 04/06/2023

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Defendant

Community Medical Care of N.Y., P.C.

represented by Community Medical Care of N.Y., P.C. PRO SE

Mark L. Furman

(See above for address) TERMINATED: 04/06/2023 LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Defendant

Comfort Care Medical PLLC

represented by Comfort Care Medical PLLC PRO SE

Mark L. Furman

(See above for address) TERMINATED: 04/06/2023 LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Defendant

DLC Comprehensive Medical PLLC

represented by DLC Comprehensive Medical PLLC PRO SE

Mark L. Furman

(See above for address) TERMINATED: 04/06/2023 LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Defendant

Ahmad Riaz M.D. (As a Sole Proprietorship)

represented by Ahmad Riaz M.D. (As a Sole Proprietorship)

PRO SE

Mark L. Furman

(See above for address) TERMINATED: 04/06/2023

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Defendant

Riaz Ahmad M.D. (As A Sole

Proprietorship)

represented by Riaz Ahmad M.D. (As A Sole

Proprietorship)

PRO SE

Mark L. Furman

(See above for address) TERMINATED: 04/06/2023

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Defendant

John Doe Defendants "1" through "10"

Date Filed	#	Docket Text
11/03/2022	1	COMPLAINT against Riaz Ahmad, MD, Ahmad Riaz M.D. (As a Sole Proprietorship), Comfort Care Medical PLLC, Community Medical Care of N.Y., P.C., DLC Comprehensive Medical PLLC, John Doe Defendants "1" through "10", Riaz Ahmad M.D. (As A Sole Proprietorship) filing fee \$ 402, receipt number ANYEDC-16107721 Was the Disclosure Statement on Civil Cover Sheet completed - No., filed by GEICO General Insurance Company, GEICO Indemnity Company, GEICO Casualty Company, Government Employees Insurance Company. (Attachments: # 1 Civil Cover Sheet, # 2 Proposed Summons and Rider, # 3 Exhibit 1 - Representative Sample of Fraudulent Claims Identified to Date - Community Medical Care of N.Y. P.C., # 4 Exhibit 2 - Representative Sample of Fraudulent Claims Identified to Date - Comfort Care Medical PLLC, # 5 Exhibit 3 - Representative Sample of Fraudulent Claims Identified to Date - DLC Comprehensive Medical PLLC, # 6 Exhibit 4 - Representative Sample of Fraudulent Claims Identified to Date - Ahmad Riaz MD, # 7 Exhibit 5 - Representative Sample of Fraudulent Claims Identified to Date - Riaz Ahmad MD, # 8 Exhibit 6 - American Institute of Ultrasound Medicine (AIUM) Determination, # 9 Exhibit 7 - American Academy of Neurology (AAN) Report, # 10 Exhibit 8 - New York State Workers Compensation Board Mid and Low Back Injury Medical Treatment Guidelines, # 11 Exhibit 9 - American Association of Neuromuscular and Electrodiagnostic Medicine (AANEM) Recommended Policy) (Sirignano, Michael) (Entered: 11/03/2022)
11/03/2022	2	Corporate Disclosure Statement by GEICO Casualty Company, GEICO General Insurance Company, GEICO Indemnity Company, Government Employees Insurance Company identifying Corporate Parent GEICO Corporation, Other Affiliate Berkshire Hathaway, Inc. for GEICO Casualty Company, GEICO General Insurance Company, GEICO Indemnity Company, Government Employees Insurance Company. (Sirignano, Michael) (Entered: 11/03/2022)
11/07/2022		Case Assigned to Judge Allyne R. Ross and Magistrate Judge Roanne L. Mann. Please download and review the Individual Practices of the assigned Judges, located on our website. Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. (KD) (Entered: 11/07/2022)
11/07/2022	3	In accordance with Rule 73 of the Federal Rules of Civil Procedure and Local Rule 73.1, the parties are notified that <i>if</i> all parties consent a United States magistrate judge of this court is available to conduct all proceedings in this civil action including a (jury or nonjury) trial and to order the entry of a final judgment. Attached to the Notice is a blank copy of the consent form that should be filled out, signed and filed electronically only if all parties wish to consent. The form may also be accessed at the following link: http://www.uscourts.gov/uscourts/FormsAndFees/Forms/AO085.pdf . You may withhold your consent without adverse substantive consequences. Do NOT return or file the consent unless all parties have signed the consent. (KD) (Entered: 11/07/2022)
11/07/2022	4	This attorney case opening filing has been checked for quality control. See the attachment for corrections that were made, if any. (KD) (Entered: 11/07/2022)

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11/07/2022	5	Summons Issued as to Riaz Ahmad, MD, Ahmad Riaz M.D. (As a Sole Proprietorship), Comfort Care Medical PLLC, Community Medical Care of N.Y., P.C., DLC Comprehensive Medical PLLC. (KD) (Entered: 11/07/2022)
11/07/2022	. 6	NOTICE of Appearance by Barry I. Levy on behalf of GEICO Casualty Company, GEICO General Insurance Company, GEICO Indemnity Company, Government Employees Insurance Company (aty to be noticed) (Levy, Barry) (Entered: 11/07/2022)
11/07/2022	7	NOTICE of Appearance by Sean Patrick Gorton on behalf of GEICO Casualty Company, GEICO General Insurance Company, GEICO Indemnity Company, Government Employees Insurance Company (aty to be noticed) (Gorton, Sean) (Entered: 11/07/2022)
11/21/2022	8	SUMMONS Returned Executed by GEICO General Insurance Company, GEICO Indemnity Company, GEICO Casualty Company, Government Employees Insurance Company. Comfort Care Medical PLLC served on 11/14/2022, answer due 12/5/2022. (Sirignano, Michael) (Entered: 11/21/2022)
11/21/2022	9	SUMMONS Returned Executed by GEICO General Insurance Company, GEICO Indemnity Company, GEICO Casualty Company, Government Employees Insurance Company. DLC Comprehensive Medical PLLC served on 11/14/2022, answer due 12/5/2022. (Sirignano, Michael) (Entered: 11/21/2022)
11/21/2022	10	SUMMONS Returned Executed by GEICO General Insurance Company, GEICO Indemnity Company, GEICO Casualty Company, Government Employees Insurance Company. Community Medical Care of N.Y., P.C. served on 11/14/2022, answer due 12/5/2022. (Sirignano, Michael) (Entered: 11/21/2022)
11/21/2022	11	NOTICE of Appearance by Mark L. Furman on behalf of Riaz Ahmad, MD, Ahmad Riaz M.D. (As a Sole Proprietorship), Comfort Care Medical PLLC, Community Medical Care of N.Y., P.C., DLC Comprehensive Medical PLLC, Riaz Ahmad M.D. (As A Sole Proprietorship) (aty to be noticed) (Furman, Mark) (Entered: 11/21/2022)
11/23/2022	12	Consent MOTION to Stay Consent Motion to So-Order Stipulation to Stay and Enjoin Underlying Collection Proceedings by GEICO Casualty Company, GEICO General Insurance Company, GEICO Indemnity Company, Government Employees Insurance Company. (Attachments: # 1 Exhibit A - Stipulation to Stay and Enjoin Collection Proceedings) (Gorton, Sean) (Entered: 11/23/2022)
11/28/2022	<u>13</u>	SUMMONS Returned Executed by GEICO General Insurance Company, GEICO Indemnity Company, GEICO Casualty Company, Government Employees Insurance Company. Riaz Ahmad, MD served on 11/15/2022, answer due 12/6/2022. (Sirignano, Michael) (Entered: 11/28/2022)
11/28/2022	14	SUMMONS Returned Executed by GEICO General Insurance Company, GEICO Indemnity Company, GEICO Casualty Company, Government Employees Insurance Company. Riaz Ahmad M.D. (As A Sole Proprietorship) served on 11/21/2022, answer due 12/12/2022. (Sirignano, Michael) (Entered: 11/28/2022)
11/28/2022	<u>15</u>	SUMMONS Returned Executed by GEICO General Insurance Company, GEICO Indemnity Company, GEICO Casualty Company, Government Employees Insurance Company. Ahmad Riaz M.D. (As a Sole Proprietorship) served on 11/21/2022, answer due 12/12/2022. (Sirignano, Michael) (Entered: 11/28/2022)

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11/29/2022	16	ORDER granting re: 12 STIPULATION TO STAY AND ENJOIN COLLECTION PROCEEDINGS BROUGHT IN THE NAMES OF COMMUNITY MEDICAL CARE OF N.Y., P.C., COMFORT CARE MEDICAL PLLC, DLC COMPREHENSIVE MEDICAL PLLC, AHMAD RIAZ M.D., AND RIAZ AHMAD M.D. (Ordered by Judge Allyne R. Ross on 11/28/2022) (RG) (Entered: 11/29/2022)
12/02/2022	<u>17</u>	MOTION for Extension of Time to File Answer to Complaint by Riaz Ahmad, MD, Ahmad Riaz M.D. (As a Sole Proprietorship), Comfort Care Medical PLLC, Community Medical Care of N.Y., P.C., DLC Comprehensive Medical PLLC, Riaz Ahmad M.D. (As A Sole Proprietorship). (Furman, Mark) (Entered: 12/02/2022)
12/02/2022		ORDER granting <u>17</u> Motion for Extension of Time to Answer to January 5, 2023. The parties' stipulation is so-ordered. Ordered by Magistrate Judge Roanne L. Mann on 12/2/2022. (JP) (Entered: 12/02/2022)
01/07/2023	18	ANSWER to 1 Complaint,,,,, by Riaz Ahmad, MD, Ahmad Riaz M.D. (As a Sole Proprietorship), Comfort Care Medical PLLC, Community Medical Care of N.Y., P.C., DLC Comprehensive Medical PLLC, Riaz Ahmad M.D. (As A Sole Proprietorship). (Furman, Mark) (Entered: 01/07/2023)
01/09/2023		Case Reassigned to Magistrate Judge Ramon E. Reyes, Jr. Magistrate Judge Roanne L. Mann no longer assigned to the case. Please download and review the Individual Practices of the assigned Judges, located on our website. Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. (JM) (Entered: 01/09/2023)
04/05/2023	<u>19</u>	STATUS REPORT re: Defendants' Counsel by GEICO Casualty Company, GEICO General Insurance Company, GEICO Indemnity Company, Government Employees Insurance Company (Gorton, Sean) (Entered: 04/05/2023)
04/06/2023		ELECTRONIC ORDER: Defendants are directed to retain new counsel within thirty days. If new counsel does not enter a notice of appearance within 30 days, the corporate defendants will be deemed in default and judgment may be entered against them. So Ordered by Magistrate Judge Ramon E. Reyes, Jr on 4/6/2023. (MV) (Entered: 04/06/2023)
04/06/2023		eORDER re 19 STATUS REPORT re: Defendants' Counsel filed by GEICO Casualty, Company et al: Attorney Mark L. Furman terminated. Ordered by Magistrate Judge Ramon E. Reyes, Jr on 4/6/2023. (MV) (Entered: 04/06/2023)

This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.

NOTE TO PUBLIC ACCESS USERS Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing. However, if the referenced document is a transcript, the free copy and 30 page limit do not apply.

U.S. District Court

Eastern District of New York

Notice of Electronic Filing

The following transaction was entered on 4/6/2023 at 11:14 AM EDT and filed on 4/6/2023

Case Name:

Government Employees Insurance Company et al v. Ahmad et al

Case Number:

1:22-cv-06713-ARR-RER

Filer:

Document Number: No document attached

Docket Text:

ELECTRONIC ORDER: Defendants are directed to retain new counsel within thirty days. If new counsel does not enter a notice of appearance within 30 days, the corporate defendants will be deemed in default and judgment may be entered against them. So Ordered by Magistrate Judge Ramon E. Reyes, Jr on 4/6/2023. (MV)

1:22-cy-06713-ARR-RER Notice has been electronically mailed to:

Michael A. Sirignano michael.sirignano@rivkin.com

Mark L. Furman mark@markfurmanlaw.com

Barry I. Levy barry.levy@rivkin.com

Sean Patrick Gorton sean.gorton@rivkin.com

1:22-cv-06713-ARR-RER Notice will not be electronically mailed to:

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NOTE TO PUBLIC ACCESS USERS Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing. However, if the referenced document is a transcript, the free copy and 30 page limit do not apply.

U.S. District Court

Eastern District of New York

Notice of Electronic Filing

The following transaction was entered on 4/6/2023 at 11:27 AM EDT and filed on 4/6/2023

Case Name:

Government Employees Insurance Company et al v. Ahmad et al

Case Number:

1:22-cv-06713-ARR-RER

Filer:

Document Number: No document attached

Docket Text:

eORDER re [19] STATUS REPORT re: Defendants' Counsel filed by GEICO Casualty, Company et al: Attorney Mark L. Furman terminated. Ordered by Magistrate Judge Ramon E. Reyes, Jr on 4/6/2023. (MV)

1:22-cy-06713-ARR-RER Notice has been electronically mailed to:

Michael A. Sirignano michael.sirignano@rivkin.com

Mark L. Furman mark@markfurmanlaw.com

Barry I. Levy barry.levy@rivkin.com

Sean Patrick Gorton sean.gorton@rivkin.com

1:22-cy-06713-ARR-RER Notice will not be electronically mailed to:

Ahmad Riaz M.D. (As a Sole Proprietorship)

Comfort Care Medical PLLC

Community Medical Care of N.Y., P.C.

DLC Comprehensive Medical PLLC



WWW.RIVKINRADLER.COM

926 RXR Plaza Uniondale, NY 11556-0926 T 516.357.3000 F 516.357.3333

SEAN GORTON (516) 357-3319 sean.gorton@rivkin.com

April 5, 2023

VIA ECF

Honorable Ramon E. Reyes, Jr. United States District Court Judge Eastern District of New York 225 Cadman Plaza East Brooklyn, New York 11201

Re: Government Employees Insurance Co., et al. v. Ahmad, et al.

Docket No. 1:22-cv-06713(ARR)(RER)

Dear Judge Reyes:

This firm represents Plaintiffs Government Employees Insurance Co., GEICO Indemnity Co., GEICO General Insurance Company, and GEICO Casualty Co. (collectively "Plaintiffs" or "GEICO") in the above-referenced matter. We respectfully submit this letter to advise the Court regarding recent developments surrounding the representation of Defendants Riaz Ahmad, M.D., Community Medical Care of N.Y., P.C., Comfort Care Medical PLLC, DLC Comprehensive Medical PLLC, Ahmad Riaz, M.D. (as a sole proprietorship), and Riaz Ahmad, M.D. (as a sole proprietorship) (collectively, "Defendants" and with Plaintiffs, the "Parties").

Defendants were originally represented by Mark L. Furman, Esq. of the Law Offices of Mark L. Furman. See Docket No. 11. Plaintiffs' counsel received news that Mr. Furman, unfortunately, passed away in January 2023. Plaintiffs' counsel was subsequently contacted by an attorney who has represented Defendants in various no-fault insurance collection proceedings, who advised, in sum, that Defendants were in the process of retaining new counsel in connection with this matter.

However, to date, no one has appeared on Defendants' behalf and more than forty-five (45) days have elapsed since Plaintiffs' counsel was advised that Defendants were in the process of retaining new counsel. Accordingly, Plaintiffs respectfully request that the Court issue an Order directing Defendants to retain new counsel within thirty (30) days, so that the Parties may commence with discovery.

RIVKIN RADLER LLP

Honorable Ramon E. Reyes, Jr. April 5, 2023

We thank the Court for its attention to this matter.

Very truly yours,

RIVKIN RADLER LLP

/s/ Sean Gorton
Sean Gorton, Esq.

Case 1:22-cv-06713-ARR-RER Document 21 Filed 04/26/23 Page 14 of 16 PageID #: 585

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NEW YORK

GOVERNMENT EMPLOYEES
INSURANCE COMPANY, GEICO
INDEMNITY COMPANY, GEICO
GENERAL INSURANCE COMPANY
and GEICO CASUALTY COMPANY,

Case No.: 22-cv-06306

NOTICE OF APPEARANCE

Plaintiff,

-against-

RIAZ AHMAD, M.D., COMMUNITY MEDICAL CARE OF N.Y., P.C., COMFORT CARE MEDICAL PLLC, DLC COMPREHENSIVE MEDICAL PLLC, AHMAD RIAZ M.D. (AS A SOLE PROPRIETORSHIP), RIAZ AHMAD M.D. (AS A SOLE PROPRIETORSHIP) and JOHN DOE DEFENDANTS "1" THROUGH "10,"

Defendants.

----X

COUNSELORS:

PLEASE TAKE NOTICE that the Defendants RIAZ AHMAD, M.D., COMMUNITY MEDICAL CARE OF N.Y., P.C., COMFORT CARE MEDICAL PLLC, DLC COMPREHENSIVE MEDICAL PLLC, AHMAD RIAZ M.D. (AS A SOLE PROPRIETORSHIP), RIAZ AHMAD M.D. (AS A SOLE PROPRIETORSHIP) hereby appear in the above-captioned action, and that the undersigned has been retained as attorney for said Defendants and hereby demands that copies of all papers in this action be served upon the undersigned at the address stated below.

Dated: Westchester, New York November 21 2022

Law Offices of Mark L. Furman

Attorneys for Defendants KONATA SOLOMON STALLINGS (A Sole Proprietorship), and KONATA SOLOMON STALLINGS, PSY.D.,

By: ____/s/_ Mark L. Furman

22 Donald Drive,
Hastings on Hudson New York 10706
(914) 584-6799
mark@markfurmanlaw.com

Case 1:22-cv-06713-ARR-RER Document 21 Filed 04/26/23 Page 15 of 16 PageID #: 586

TO: All parties via ECF

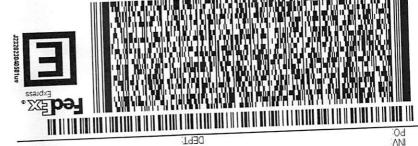
CAD: 101416928/INET4610 SHIP DATE: 25APR23 ACTWGT: 0.30 LB

BILL SENDER

BROOKLYN, NY 11201 1 METROTECH CENTER, 1701 ORIGIN ID:EGXA CINDY ROLDAN (216) 328-2300

НОИ. КАМОИ Е. REYES, JR. OT SU SƏTATS DƏTINU

0000-000 (000) BROOKLYN NY 11201 225 CADMAN PLAZA EAST EASTERN DISTRICT OF NEW YORK



WED - 26 APR 8:30A

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